

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF VIRGINIA
RICHMOND DIVISION**

In Re: LeMar Allen Bowers

**Case No: 19-33915
Chapter 13**

MOTION TO DISMISS CASE

COMES NOW, your Chapter 13 Trustee, By Counsel, and moves the Court to Dismiss this case and in support thereof states as follows:

1. The Debtor originally filed this case on July 29, 2019.
2. There have been no confirmed plans in this case.
3. The debtor originally scheduled IRS tax debt as secured in the amount of \$409,000.00 with a total debt of \$641,100.00.
4. The IRS has filed 4 amended claims, and the last claim filed on April 16, 2020, the total amount of the claim is \$680,488.73, with no secured amount, and \$661,319.10 being Unsecured Priority and \$19,169.63 being Unsecured General.
5. This claim in the amount of \$680,488.73 as unsecured debt disqualifies the debtor from being a Debtor in a Chapter 13 since he is above the allowed debt limit qualifications for a Chapter 13.
6. The Debtor does not qualify to be a Chapter 13 debtor under 11 U.S.C. §109(e). The Debtor exceeds the statutory limits allowed for unsecured debt to qualify as a Chapter 13 Debtor based on the proofs of claim as filed and treatment of the claim.

WHEREFORE, the Chapter 13 Trustee, by Counsel, respectfully requests that the Court enter an Order to Dismiss this case, and for such further remedy deemed appropriate.

Date: July 17, 2020

/s/Susan H. Call
Susan H. Call, Counsel for
Carl M. Bates
Chapter 13 Trustee
P.O. Box 1819
Richmond, VA 23218-1819
VSBN 34367

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Motion was served by first-class mail, postage prepaid, July 17, 2020 upon the Debtor, LeMar Allen Bowers, 10250 Scots Landing Road, Mechanicsville, VA 23116, **all creditors on the attached list and by e-mail** notification to their attorney, James E. Kane, at jkane@kaneandpapa.com.

/s/Susan H. Call
Susan H. Call, Counsel for
Carl M. Bates
Chapter 13 Trustee

Susan H. Call, Esquire
Staff Counsel for
Carl M. Bates
P.O. Box 1819
Richmond, VA 23218-1819
(804) 237-6800
VSBN 34367

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF VIRGINIA
RICHMOND DIVISION**

In Re: LeMar Allen Bowers

**Case No: 19-33915
Chapter 13**

NOTICE OF MOTION AND NOTICE OF HEARING

The Chapter 13 Trustee has filed papers with the Court to request an Order be entered ordering that the above case be Dismissed.

Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one).

If you do not want the Court to grant the relief sought in the Motion, or if you want the Court to consider your views on the Motion, then on or before seven (7) days before the date of the hearing, you or your attorney must:

File with the Court, at the address shown below, a written response pursuant to Local Bankruptcy Rule 9013-1(H). If you mail your response to the Court for filing, you must mail it early enough so the Court will receive it on or before the date stated above.

Clerk of Court
United States Bankruptcy Court
701 East Broad Street
Richmond, VA 23219

You must also mail a copy to:

Carl M. Bates
Chapter 13 Trustee
P. O. Box 1890
Richmond, Virginia 23218-1780

Attend the Hearing scheduled to be held on August 26, 2020 at 1:00 P.M., at the U.S. Bankruptcy Court, 701 East Broad Street, Rm. 5000, Richmond, VA 23219.

If you or your attorney do not take these steps, the court may decide that you do not oppose the relief sought in the motion or objection and may enter an order granting that relief.

Date: July 17, 2020

/s/Susan H. Call
Susan H. Call, Counsel for
Carl M. Bates
Chapter 13 Trustee
P.O. Box 1819
Richmond, VA 23218-1819
VSBN 34367

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Notice of Motion and Hearing was served by first-class mail, postage prepaid, July 17, 2020 upon the Debtor, LeMar Allen Bowers, 10250 Scots Landing Road, Mechanicsville, VA 23116, **all creditors on the attached list and by e-mail** notification to their attorney, James E. Kane, at jkane@kaneandpapa.com.

/s/Susan H. Call
Susan H. Call, Counsel for
Carl M. Bates
Chapter 13 Trustee

Susan H. Call, Esquire
Staff Counsel for
Carl M. Bates
P.O. Box 1819
Richmond, VA 23218-1819
(804) 237-6800
VSBN 34367

Label Matrix for local noticing
0422-3
Case 19-33915-KRH
Eastern District of Virginia
Richmond
Fri Jul 17 09:03:43 EDT 2020

CARRINGTON MORTGAGE SERVICES, LLC
Shapiro & Brown, LLP
501 Independence Parkway, Suite 203
Chesapeake, VA 23320-5174

Capital One Auto Finance, a division of Capi
4515 N Santa Fe Ave. Dept. APS
Oklahoma City, OK 73118-7901

United States Bankruptcy Court
701 East Broad Street
Richmond, VA 23219-1888

(p)BB AND T
PO BOX 1847
WILSON NC 27894-1847

Capital One
Attn: Bankruptcy
Po Box 30285
Salt Lake City, UT 84130-0285

Capital One Auto Finance
Attn: Bankruptcy
Po Box 30285
Salt Lake City, UT 84130-0285

Capital One Auto Finance, a division of
AIS Portfolio Services, LP
4515 N Santa Fe Ave. Dept. APS
Oklahoma City, OK 73118-7901

Capital One Bank (USA), N.A.
by American InfoSource as agent
4515 N Santa Fe Ave
Oklahoma City, OK 73118-7901

Carrington Mortgage Services
Attn: Bankruptcy
Po Box 3730
Anaheim, CA 92803-3730

Carrington Mortgage Services, LLC
1600 South Douglass Road
Anaheim, CA 92806-5951

Citibank, N.A.
5800 S Corporate Pl
Sioux Falls, SD 57108-5027

Citibank/The Home Depot
Attn: Recovery/Centralized Bankruptcy
Po Box 790034
St Louis, MO 63179-0034

Comenity Bank/Wayfair
Attn: Bankruptcy Dept
Po Box 182125
Columbus, OH 43218-2125

Commonwealth Radiology
1508 Willow Lawn Dr
Ste 117
Richmond, Va 23230-3421

Dept of Ed / Navient
Attn: Claims Dept
Po Box 9635
Wilkes Barr, PA 18773-9635

Genesis Bankcard Services
Attn: Bankruptcy Department
Po Box 4477
Beaverton, OR 97076-4401

Hanover County Treasurer
P.O. Box 430
Hanover, VA 23069-0430

(p)HANOVER COUNTY VIRGINIA
HANOVER COUNTY ATTORNEYS OFFICE
PO BOX 470
HANOVER VA 23069-0470

Independent Savings Plan Company (ISPC)
Attn: Bankruptcy
1115 Gunn Highway Suite 100
Odessa, FL 33556-5328

(p)INTERNAL REVENUE SERVICE
CENTRALIZED INSOLVENCY OPERATIONS
PO BOX 7346
PHILADELPHIA PA 19101-7346

Internal Revenue Service
P.O. Box 7346
Philadelphia, PA 19101-7346

(p)JEFFERSON CAPITAL SYSTEMS LLC
PO BOX 7999
SAINT CLOUD MN 56302-7999

Knight Capital Funding III, LLC
110 SE 6th Street, Suite 700
Fort Lauderdale, FL 33301-5002

Navient Solutions, LLC. on behalf of
Department of Education Loan Services
PO BOX 9635
Wilkes-Barre, PA 18773-9635

On Deck Capital, Inc.
c/o Christine Levi
101 West Colfax Ave., 10th Floor
Denver, CO 80202-5167

Ondeck Cap
1400 Broadway
New York, NY 10018-5300

Partnersffcu
400 North 8th Street
Richmond, VA 23219-4805

Partnersffcu
PO Box 2980
Henrico, VA 23228-9700

Quantum3 Group LLC as agent for
Comenity Bank
PO Box 788
Kirkland, WA 98083-0788

Quantum3 Group LLC as agent for
GPCC I LLC
PO Box 788
Kirkland, WA 98083-0788

SPG Advance
1221 McDonald Ave
Brooklyn, NY 11230-3322

Shapiro & Brown, LLP
501 Independence Pkwy.
Suite 203
Chesapeake, VA 23320-5174

SublettPearson PLC
P.O. Box 20869
Roanoke, VA 24018-0527

Synchrony/Ashley Furniture Homestore
Attn: Bankruptcy
Po Box 965060
Orlando, FL 32896-5060

THE NESBITT LAW FIRM
C/O SUBLETTPEARSON, PLC
PO BOX 20869
ROANOKE, VA 24018-0527

Tbf Financial LLC
Attn: Bankruptcy Department
740 Waukegan Road, Suite 404
Deerfield, IL 60015-5505

The Nesbitt Law Firm
1915 Huguenot Road
Suite 303
Richmond, VA 23235-4315

Verizon
by American InfoSource as agent
4515 N Santa Fe Ave
Oklahoma City, OK 73118-7901

Wells Fargo Bank N.A., d/b/a Wells Fargo Aut
PO Box 130000 Raleigh, NC 27605

Wells Fargo Dealer Services
Attn: Bankruptcy
Po Box 19657
Irvine, CA 92623-9657

Carl M. Bates
341 Dial 866-813-0912 Code: 8576180
P. O. Box 1819
Richmond, VA 23218-1819

James E. Kane
Kane & Papa, PC
1313 East Cary Street
P.O. Box 508
Richmond, VA 23218-0508

John P. Fitzgerald, III
Office of the US Trustee - Region 4 -R
701 E. Broad Street, Ste. 4304
Richmond, VA 23219-1849

LeMar Allen Bowers
10250 Scots Landing Road
Mechanicsville, VA 23116-6684

The preferred mailing address (p) above has been substituted for the following entity/entities as so specified
by said entity/entities in a Notice of Address filed pursuant to 11 U.S.C. 342(f) and Fed.R.Bank.P. 2002 (g) (4).

BB&T
Attn: Bankruptcy
P.O. Box 1847
Wilson, NC 27894-0000

Hanover County, Virginia
County Attorney's Office
PO Box 470
Hanover, VA 23069

Internal Revenue Service
400 North 8th Street
Richmond, VA 23219-0000

Jefferson Capital Systems LLC
Po Box 7999
Saint Cloud Mn 56302-9617

The following recipients may be/have been bypassed for notice due to an undeliverable (u) or duplicate (d) address.

(u)United States of America, Internal Revenue
0

(d)Capital One Auto Finance, a division of Ca
4515 N Santa Fe Ave. Dept. APS
Oklahoma City, OK 73118-7901

(d)Internal Revenue Service
PO Box 7346
Philadelphia, PA 19101-7346

End of Label Matrix

Document Page 7 of 7

Mailable recipients 44

Bypassed recipients 3

Total 47